Short Term Rental Options

Updated for PZ Commission meeting Nov. 21, 2019
What are the town’s preferences?
What are our goals in a short term rental ordinance?
What currently exists in the town?
Background on Short-Term Nightly Rentals

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Benefits

● Supplementary income
● Additional tax collected for the town
● Extra spending on goods & services
● Promotes property upkeep

Challenges

● Traffic & noise complaints
● Loss of affordable rentals
● Absentee owners & operators
● Lack of tax collection
● Utah statute makes it difficult to know who operates one
● Safety standards may differ from hotels, BnBs
Types of STRs

Defined as 30 days or less

- Rental of an entire home for short-term stays
- Rental of an entire separate unit for short-term stays
- Rental of individual rooms within a home for short-term stays
Common questions associated with STRs

- Which types of units, if any, can be rented?
- Is there a limit on the number of days they are rented?
- Is a permit required?
- Are taxes collected?
- How are the rules enforced?
- Do hosts have to live at the unit being rented?
- Must there be a manager identified if the owner is not available on site?
- Will there be safety inspections of the units?
- Will neighbors receive notification if someone wants to be a host?
- Are there parking requirements?
- Are there specific noise restrictions?
- Are there limits on the number or proximity to other rentals in a given area?
- Should hosts have to have liability insurance?
- Are there reporting requirements?
- Can mobile homes, RVs or travel trailers serve as short-term rentals?
Discussions from earlier meetings

- **In Residential zones:** Hosts may only rent out their primary residence, room, or AUD, not second homes, for short term
  - Owner or a designated agent must be available 24/7.
  - One per operator.
  - Primary residence is defined as the dwelling unit in which a person resides for more than one half of the year.
- **In all other zones:** Short term rentals allowed.
- **Require an annual application & permit** beginning January 1, 2020 with a fee of $100
- Amend the regulations in the future to require a business license once the Town has a process.
- Require **annual fire inspection** for permit
- Require permit # be included in posting
Discussions from earlier meetings

- Require host to display rules of conduct and a map
  - Rules of conduct include water conservation
- Accommodations must meet all applicable local and state regulations
  - Including tax and business licenses
- Solid waste/trash requirements
- All SRT permit holders are required to display the address of the residence so that it is clearly visible from the street or access road.
- Differentiates between owner-occupied and non-owner occupied.
- They limit the # of non-owner occupied to current #s + 3. Establish a wait list.
- No limit on owner-occupied.
- No more than one short term rental per lot. Existing ones are grandfathered in until ownership changes.
- SRTs cannot be used for things like parties, weddings, and fundraisers.
- Must have short term rental business license.
- Annual application and fee.
- Establishes a short term license renewal date of Feb. 1
- License is non-transferrable
- No outdoor sleeping
- Fire inspection required
Escalante, Utah

- Permitted in all zones and licensed (used to be conditional use)
- Transferrable
- Application required
- Requires proof of insurance and liability insurance
- Requires copy of State Sales Tax License
- 24/7 contact person
- Provisions requiring clear signage and information for renters
- Prohibited noise, nuisances, sleeping outside.
- Allows for inspection by Town if reasonable to believe prohibited activities are occurring.
- Fire inspection required
- They limit # based on residences to 7%.
- License for one year and annually renewed.
Jersey City, NJ

- NEW regulations limit how often landlords can rent properties if they don't live on site.

- Forbid short-term rentals in buildings with more than four units if the owner isn't present

- Prohibit renters from serving as hosts
San Antonio, TX

- Permitted in all zones
- Non transferrable
- Requires sketch, 24 hour contact, proof of general liability insurance
- 3-year permit
- Type 1: owner occupied can rent less than entire dwelling if owner is generally present.
- Type 2: not owner occupied. Cannot rent less than the entire dwelling unit.

- Every sleeping room needs an emergency escape and rescue opening.
- No outdoor sleeping
- Annual inspections by city and independent inspection by fire department
- Failure to pay taxes is grounds for revoking permit.
Forms, etc.

Let’s not reinvent the wheel!

- Create an application and an inspection checklist:
  - Torrey and Escalante have applications we can reference
  - Escalante has a helpful inspection checklist
Let’s hear your thoughts!